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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>DELAWARE REAL ESTATE COMMISSION</b>
<b>MEETING DATE AND TIME:</b>	<b>Thursday, August 9, 2012 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	<b>September 13, 2012</b>

**MEMBERS PRESENT**

Andrew Staton, Professional Member, Secretary  
Vincent M. White, Professional Member  
James C. Brannon, Jr., Public Member  
Gilbert Emory, Public Member  
Ricky H. Allamong, Professional Member  
Patricia O'Brien, Public Member  
Joseph F. McCann, Public Member

**DIVISION STAFF/ DEPUTY ATTORNEY GENERAL**

Kay Warren, Deputy Director, Division of Professional Regulation  
Patricia Davis-Oliva, Deputy Attorney General  
Sandy Wagner, Administrative Specialist III  
Joseph Riff, Administrative Specialist II

**MEMBERS ABSENT**

Christopher J. Whitfield, Professional Member, Chairman  
Michael Harrington, Sr., Professional Member, Vice Chairman

**ALSO PRESENT**

Doug Doyle, Real Estate Education Committee  
Denise Tatman, DAR  
Phil McGinnis  
Chuck Mulholland

Dianne Mulholland  
Frank Szczuka

### **CALL TO ORDER**

Mr. Staton called the meeting to order at 9:10 a.m.

### **REVIEW OF MINUTES**

Ms. O'Brien made a motion, seconded by Mr. Brannon, to approve the minutes of the meeting held on July 12, 2012. By unanimous vote, the motion carried.

### **NEW BUSINESS**

#### **Education Committee Report** **Recommendation to Approve and Deny Course Providers, Instructor Applications and Student Requests as Noted**

Mr. Brannon made a motion, seconded by Mr. Emory, to approve and deny course providers, instructor applications and student requests as noted in the minutes of the August 2, 2012 meeting of the Real Estate Education Committee. By unanimous vote, the motion carried.

Mr. Allamong discussed the pro-ration of new licensee's continuing education and what constitutes a newly licensed person to follow new guidelines for continuing education modules. After discussion, Mr. Allamong made a motion, seconded by Mr. White, as far as the new licensing module actability will apply to licensee's that were licensed on or after the effective date of July 11, 2012 when the new regulations went into effect. By unanimous vote, the motion carried.

Mr. Allamong had a second question of each year the commission refers to new licensing module one and that is the same as professional standards module two. Mr. Doyle said that it depends on what the course provider supplies. It could be the same class depending on the course provider.

Mr. Allamong would make a recommendation that if someone takes the new licensee module that it directly applies to the regular module and it can be interchangeable. Mr. Staton said he didn't think that was correct. Mr. Allamong asked if this should be referred back to the Education Committee to decide the clarification and all agreed.

Mr. Doyle said the Education Committee has been looking at the course submissions and the modules and they found that the modules when they got approved must not have been fine tuned and tweaked. Mr. Doyle says he knows that the modules can be adjusted which should be done. Mr. Doyle said that sometimes you see language in the modules that say may and must and they really should be consistent. The Committee thinks the modules should be looked at again and changes made. Mr. Staton agreed that the modules need to be looked at again and would defer that to the Education Committee for recommendations and then go to the Sub-committee of which Mr. Doyle is part of.

Mr. Doyle addressed that Mr. Kidman is not available for the Annual Seminar and asked if they Commission would mind asking Mr. Ward would be available to talk about Legislative Updates at the Annual Seminar.

Mr. Staton moved 3.6 Review of Proposed Changes to Module 6 from Mr. Phil McGinnis on the agenda to follow the report from the Education Committee.

#### Review of Proposed Changes to Module 6 from Phil McGinnis

Mr. McGinnis spoke to the Board about Module 6. Mr. McGinnis stated that he came before the Commission and was here in January or February discussing at length about setting up the regulations. It was discussed that Module 6 would be non-essential practices and include valuation. Mr. McGinnis stated that his valuation course couldn't be approved since valuation is not part of Module 6. Mr. Doyle stated that Module 6 is the only Module that states must and is probably a mistake but every course that was submitted by Mr. McGinnis was for valuation. Mr. White asked why the Education Committee couldn't just add that to Module 6.

Mr. White made a motion, seconded by Mr. Brannon, for the course outline submitted by Mr. McGinnis to add valuation, be approved to be taught under Module 6. Mr. Allamong would like that motion amend to include that it was the intent of the Commission to allow the Education Committee be able to choose where the courses would fall in the Modules and have them approved by the Education Committee. Mr. White amended his motion, seconded by Mr. Brannon, to approve the course outline submitted by Mr. McGinnis to add valuation to Module 6 and to have the Education Committee be able to choose where the courses would fall in the Modules. By unanimous vote, the motion carried.

Mr. Allamong asked Mr. Doyle if the Modules, particularly Module 6, just had one word wrong. Mr. Doyle stated that he felt that the Modules never got the final review because not only the wrong word is being used in Module 6, but some Modules have introductions and some Modules not having introductions. Mr. Doyle thinks we should fix the Modules and Mr. Staton suggested the changes be made and submit to the Sub-committee for review.

#### Applications for Licensure Ratification of Salesperson Applications

Mr. White made a motion, seconded by Mr. Emory, to ratify the following new salesperson applicants as presented:

Victoria Garcia, Prudential Fox & Roach, Newark, DE  
Thomas Bain Jr., Cooper Realty Associates, Lewes, DE  
Srinivas Bachavala, First Class Properties, Dover, DE  
Linda Hallbrook, Home Team Realty, Seaford, DE  
Sharon Woods, Quinrick Realty, LLC, West Berlin, NJ  
Gillian Gharavinia, Coldwell Banker Residential Brokerage, Bethany Beach, DE  
James Tancredi, OptimusRE, West Chester, PA  
Tracy Burns, Patterson Schwartz, Hockessin, DE  
Meala Duckworth, Prudential, Fox & Roach, Devon, PA\*  
Celeste Acevedo, Coldwell Banker Preferred, Wilmington, DE\*  
Philip Meehan, Keller Williams, Christiana, DE\*  
Molly Bayard, Prudential Gallo, Realtors, Rehoboth Beach, DE\*  
Shane Malekzadeh, Bellvue Realty Company, Wilmington, DE\*  
Shelly Smith, First Class Properties, Dover, DE\*

By unanimous vote, the motion carried.

#### Review of Broker Applications

Mr. White made a motion, seconded by Mr. O'Brien, to approve the Broker applications.

Jeanne Palumbo, Quinrick Realty, LLC, West Berlin, NJ  
David Sweeney, REALHome Services and Solutions, Inc., Bridgewater, NJ

By unanimous vote, the motion carried.

#### Review of Applications for Reinstatement

The application of Brown Thawley, Jr. for reinstatement of a salesperson's license was reviewed. Mr. White made a motion, seconded by Ms. O'Brien, to approve Mr. Thawley for reinstatement. By unanimous vote, the motion carried.

The application of Sharon Crenshaw for reinstatement of a salesperson's license was reviewed. Mr. White made a motion, seconded by Ms. O'Brien, to approve Ms. Crenshaw for reinstatement. By unanimous vote, the motion carried.

The application of Kellie McAteer for reinstatement of a salesperson's license was reviewed. Mr. White made a motion, seconded by Ms. O'Brien, to approve Ms. McAteer for reinstatement pending passing the national and state portion of the exams. By unanimous vote, the motion carried.

The application of William Mozee for reinstatement of a salesperson's license was reviewed. Mr. White made a motion, seconded by Ms. O'Brien, to approve Mr. Mozee for reinstatement pending passing the national and state portion of the exams. By unanimous vote, the motion carried.

#### Review of Applications for New Offices

The new office applications for Jones Lang LaSalle Americas, Inc., Vicki York@ the Beach Realty, 1<sup>st</sup> Choice Properties, LLC, and US Spaces, Inc. were reviewed. A motion was made by Mr. Brannon, seconded by Mr. Emory, to approve these applications. By majority vote, the motion carried with Mr. White abstaining.

The application of Coldwell Banker Vacations for a new office was reviewed. Mr. Allamong made a motion, seconded by Mr. White, to table this application until a sign that says Coldwell Banker Vacations has been installed and need proof of broker as signatory. By unanimous vote, the motion carried.

#### Status of Complaints

Complaint No. 02-41-10 – Referred to the Attorney General's Office  
Complaint No. 02-04-11 – Closed  
Complaint No. 02-09-11 – Referred to the Attorney General's Office  
Complaint No. 02-13-12 – Assigned to Mr. White  
Complaint No. 02-14-12 – Assigned to Mr. Harrington  
Complaint No. 02-15-12 – Assigned to Mr. White  
Complaint No. 02-16-12 – Assigned to Mr. Whitfield  
Complaint No. 02-17-12 – Assigned to Mr. Harrington  
Complaint No. 02-18-12 – Assigned to Mr. White

#### Review of Consent Agreement for Case #02-26-09

Mr. White made a motion, seconded by Mr. Brannon, to approve the consent order request for waivers. By unanimous vote, the motion carried.

Review of Sellers Disclosure Forms – Discussion of disclosures concerning affordable or workforce housing

Mr. Allamong made a motion, seconded by Mr. White, to defer this discussion until the next Commission meeting due to having two Committee members being absent from the meeting that wish to speak on this discussion. By unanimous vote, the motion carried.

Mr. Mulholland approached the Commission and asked if the Commission would accept public comment now before moving onto the next item since the Commission was deferring this discussion. Mr. Mulholland stated that he handed the Committee documentation from New Castle County about workforce housing and wanted to make sure that Mr. Allamong understood the sellers disclosure form and how it pertains to the information Mr. Mulholland provided. Mr. Allamong said that the Committee had some recommendations that were going to be submitted to the Commission for review, but will need to wait until the next meeting to discuss.

Mr. Staton moved to the discussion of Old Business before Executive Session.

The Commission took a recess from 10:03 a.m. to 10:12 a.m. before going into Executive Session.

Executive Session pursuant to 29 Del.C. § 1000(4) (b); Discussion of pending litigation. Kimbleton v. White, Ward, Mowday and the Real Estate Commission, CA 12-974

Mr. White made a motion, seconded by Mr. McCann, to go into Executive Session at 10:13 a.m.

Executive session ended at 10:16 a.m.

**OLD BUSINESS**

Discussion: Annual Seminar

Mr. Doyle asked if a sign up has been done yet. Ms. Wagner said that she would get the flyer approved and it will go out by next week.

Review of Application for New Office

The application of Beach Bound Realty, LLC for a new office was re-reviewed and all needed documentation was submitted. Mr. Allamong made a motion, seconded by Mr. Brannon, to approve this application for a new office. By unanimous vote, the motion carried.

Review of Salesperson Application

The application for Kathleen Heath, Remax Chesapeake, needed to be re-reviewed by the Commission. Mr. Brannon made a motion, seconded by Mr. Emory, to approve the application of Kathleen Heath as Salesperson. By unanimous vote, the motion carried.

**OTHER BUSINESS BEFORE THE COMMISSION** (for discussion only)

There was no other business before the Commission.

**PUBLIC COMMENT**

There was no public comment.

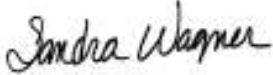
**NEXT SCHEDULED MEETING**

The next meeting will be held on Thursday, September 13, 2012 at 9:00 a.m.

**ADJOURNMENT**

Mr. White made a motion, seconded by Mr. Brannon, to adjourn the meeting. By unanimous vote, the motion carried. The meeting adjourned at 10:18 a.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sandra Wagner".

Sandra Wagner  
Administrative Specialist III

*The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.*